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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kun-Hong LEE et al. Confirmation No.: 8793
Appl. No. : 10/522,572
Filed : January 28, 2005
Title : ELECTRIC FIELD EMISSION DEVICE HAVING A TRIODE
STRUCTURE FABRICATED BY USING ANODIC
OXIDATION PROCESS AND METHOD FOR FABRICATING
SAME

TC/A.U. : 2889
Examiner : K. J. Quarterman

Docket No.: : LEEK3013/REF
Customer No: : 23364

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action of September 29, 2008, in connection with the above-identified application. The period for response to this Official Action is set to expire on December 29, 2008. This response is timely filed.

This application contains two rejections on the grounds of obviousness-type double patenting over the same pending prior application 10/542,378 for the reasons set forth in the Official Action. These are the only rejections in the outstanding Official Action.

More particularly, the provisional rejection of claims 1-10 on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 1-10 of co-pending application 10/542,378 in view of the Zimmerman et al. patent has been carefully considered but is most respectfully traversed.

Similarly, the provisional rejection of claims 11-39 on the grounds of non-statutory obviousness-type double patenting as being unpatentable over claims 11-39 of co-pending application 10/542,378 in view of the Xu patent for the reasons set forth on pages 5 and 6 of the Official Action has been carefully considered but is most respectfully traversed.